SENATE COMMITTEE OF REFERENCE REPORT

April 25, 2019

Chair of Committee

Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB19-1230 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 22, after line 23 insert:

"SECTION 12. In Colorado Revised Statutes, 44-10-103, amend as relocated by Senate Bill 19-224 (46); and add as relocated by Senate Bill 19-224 (24.5) and (48.5) as follows:

44-10-103. Definitions. As used in this article 10, unless the context otherwise requires:

(24.5) "MARIJUANA HOSPITALITY BUSINESS" means a facility, which may be mobile, licensed to permit the consumption of marijuana pursuant to this article 10; rules promulgated pursuant to this article 10; and the provisions of an enacted, initiated, or referred ordinance or resolution of the local jurisdiction in which the licensee operates.

(46) "Retail marijuana business" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturer, a MARIJUANA HOSPITALITY BUSINESS, a RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS, a retail marijuana testing facility, a retail marijuana business operator, or a retail marijuana transporter licensed pursuant to this article 10.

(48.5) "RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS" means a facility, which cannot be mobile, licensed to permit the consumption of only the retail marijuana or retail marijuana products it has sold pursuant to the provisions of an enacted, initiated, or referred ordinance or resolution of the local jurisdiction in which the licensee operates.
SECTION 13. In Colorado Revised Statutes, 44-10-202, amend as relocated by Senate Bill 19-224 (1)(a) introductory portion and (1)(b) as follows:

44-10-202. Powers and duties of state licensing authority - rules - legislative declaration. (1) Powers and duties. The state licensing authority shall:

(a) Develop and maintain a seed-to-sale tracking system that tracks regulated marijuana from either the seed or immature plant stage until the regulated marijuana or regulated marijuana product is sold to a patient at a medical marijuana store or to a customer at a retail marijuana store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS to ensure that no regulated marijuana grown or processed by a medical marijuana business or retail marijuana business is sold or otherwise transferred except by a medical or retail marijuana store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS; except that the medical marijuana or medical marijuana product is no longer subject to the tracking system once the medical marijuana or medical marijuana product has been:

(b) Grant or refuse state licenses for the cultivation, manufacture, distribution, sale, HOSPITALITY, and testing of regulated marijuana and regulated marijuana products as provided by law; suspend, fine, restrict, or revoke such licenses, whether active, expired, or surrendered, upon a violation of this article 10 or any rule promulgated pursuant to this article 10; and impose any penalty authorized by this article 10 or any rule promulgated pursuant to this article 10. The state licensing authority may take any action with respect to a registration pursuant to this article 10 as it may with respect to a license pursuant to this article 10, in accordance with the procedures established pursuant to this article 10.

SECTION 14. In Colorado Revised Statutes, 44-10-203, amend as relocated by Senate Bill 19-224 (2)(aa); and add as relocated by Senate Bill 19-224 (2)(cc) and (2)(dd) as follows:

44-10-203. State licensing authority - rules. (2) Mandatory rule-making. Rules promulgated pursuant to section 44-10-202 (1)(c) must include but need not be limited to the following subjects:

(aa) The implementation of an accelerator program including but not limited to rules to establish severed liability for licensees operating on the same physical premises, severed custodianship of regulated products, protections of the intellectual property of the accelerator licensee, incentives for licensees endorsed as accelerators, and additional requirements if a person applying for an accelerator endorsement has less than two years experience operating a licensed facility under this title 10;
(cc) The implementation of marijuana hospitality and retail marijuana hospitality and sales business licenses, including but not limited to:

(I) General insurance liability requirements;

(II) A sales limit per transaction for retail marijuana and retail marijuana products that may be sold to a patron of a retail marijuana hospitality and sales business; except that the sales limit established by the state licensing authority must not be an amount less than one gram of retail marijuana flower, one-quarter of one gram of retail marijuana concentrate, or a retail marijuana product containing not more than ten milligrams of active THC;

(III) Restrictions on the type of any retail marijuana or retail marijuana product authorized to be sold including that the marijuana or product be meant for consumption in the licensed premises of the business;

(IV) Prohibitions on activity that would require additional licensure on the licensed premises, including but not limited to sales, manufacturing, or cultivation activity;

(V) Requirements for marijuana hospitality businesses and retail marijuana hospitality and sales businesses operating pursuant to section 44-10-609 or 44-10-610 in a retail food business;

(VI) Requirements for marijuana hospitality businesses and retail marijuana hospitality and sales business licensees to destroy any unconsumed marijuana or marijuana products left behind by a patron; and

(VII) Rules to ensure compliance with section 42-4-1305.5; and

(dd) For marijuana hospitality businesses that are mobile, regulations including but not limited to:

(I) Registration of vehicles and proper designation of vehicles used as mobile licensed premises;

(II) Surveillance cameras inside the vehicles;

(III) Global positioning system tracking and route logging in an established route manifest system;

(IV) Compliance with section 42-4-1305.5;

(V) Ensuring activity is not visible outside of the vehicle; and

(VI) Proper ventilation within the vehicle.
SECTION 15. In Colorado Revised Statutes, 44-10-305, amend as relocated by Senate Bill 19-224 (2)(b) as follows:

44-10-305. State licensing authority - application and issuance procedures - repeal. (2) (b) (I) The state licensing authority may issue a state license to an applicant pursuant to this section for a retail marijuana business upon completion of the applicable criminal history background check associated with the application, and the state license is conditioned upon local jurisdiction approval. A license applicant is prohibited from operating a licensed retail marijuana business without state and local jurisdiction approval. If the applicant does not receive local jurisdiction approval within one year from the date of state licensing authority approval, the state license expires and may not be renewed. If an application is denied by the local licensing authority, the state licensing authority shall revoke the state-issued license.

(II) (A) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2)(B)(I) OF THIS SECTION, A BUSINESS OPERATING A LOCATION BEFORE DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA IS PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR BEFORE DECEMBER 31, 2019. BEGINNING ON JANUARY 1, 2020, ANY SUCH BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE OPERATION.

(B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 16. In Colorado Revised Statutes, 44-10-401, amend as relocated by Senate Bill 19-224 (1) and (2)(b)(VII); and add as relocated by Senate Bill 19-224 (2)(b)(IX), (2)(b)(X), and (7) as follows:

44-10-401. Classes of licenses. (1) For the purpose of regulating the cultivation, manufacture, distribution, HOSPITALITY, and sale of regulated marijuana and regulated marijuana products, the state licensing authority in its discretion, upon application in the prescribed form made to it, may issue and grant to the applicant a license from any of the following classes, subject to the provisions and restrictions provided by this article 10.

(2) (b) The following are retail marijuana licenses:

(VII) Retail marijuana accelerator cultivator license; and

(IX) MARIJUANA HOSPITALITY BUSINESS LICENSE; AND

(X) RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSE.

(7) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO
THIS ARTICLE 12 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED
Pursuant to Article 3, 4, or 5 of this Title 44.

SECTION 17. In Colorado Revised Statutes, 44-10-601, add as
relocated by Senate Bill 19-224 (2)(c) as follows:

44-10-601. Retail marijuana store license - rules - definition.
(2) (c) A RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND
RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND
SALES BUSINESS LICENSEE.

SECTION 18. In Colorado Revised Statutes, 44-10-601, amend
as relocated by Senate Bill 19-224 (1) as follows:

44-10-602. Retail marijuana cultivation facility license - rules
- definitions. (1) A retail marijuana cultivation facility license may be
issued only to a person who cultivates retail marijuana for sale and
distribution to licensed retail marijuana stores, retail marijuana products
manufacturer licensees, RETAIL MARIJUANA HOSPITALITY AND SALES
BUSINESS, or other retail marijuana cultivation facilities.

SECTION 19. In Colorado Revised Statutes, 44-10-603, add as
relocated by Senate Bill 19-224 (1)(e) as follows:

44-10-603. Retail marijuana products manufacturer license -
rules - definition. (1) (e) A RETAIL MARIJUANA PRODUCTS
MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA
PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS.

SECTION 20. In Colorado Revised Statutes, add to article 10
as relocated by Senate Bill 19-224 44-10-609 and 44-10-610 as follows:

44-10-609. Marijuana hospitality business license - rules -
definition. (1) (a) The state licensing authority may issue a
marijuana hospitality business license authorizing the licensee
to operate a licensed premises in which marijuana may be
consumed pursuant to this Article 10, rules promulgated
pursuant to this Article 10, and the provisions of the ordinance
or resolution of the local jurisdiction in which the licensee
operates.

(b) Subject to provisions of this Article 10 and the
ordinance or resolution of the local jurisdiction in which the
licensee operates, a retail food business as defined in Section
25-4-1602 (14) that does not hold a license or permit issued
pursuant to Article 3, 4, or 5 of this Title 44 may apply for a
license to operate a marijuana hospitality business in an
isolated portion of the premises of the retail food business. A
retail food business operating a marijuana hospitality business
pursuant to this subsection (1)(b) is subject to the terms and
CONDITIONS OF ARTICLE 4 OF TITLE 25 AND THE RULES PROMULGATED
PURSUANT TO THAT ARTICLE, INCLUDING BUT NOT LIMITED TO LICENSURE
REQUIREMENTS AND INSPECTION AND ENFORCEMENT AUTHORITY OF THE
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THIS
SUBSECTION (1)(b) DOES NOT AUTHORIZE THE MARIJUANA HOSPITALITY
BUSINESS TO ENGAGE IN THE MANUFACTURE OF MEDICAL
MARIJUANA-INFUSED PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO
ADD MARIJUANA TO FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD
BUSINESS.

(c) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY HAS
IN EFFECT AS OF THE EFFECTIVE DATE OF THIS SECTION AN ORDINANCE OR
RESOLUTION RELATED TO CONSUMPTION OF MARIJUANA, NOTHING IN THIS
SECTION Restricts THE ENFORCEMENT OF THAT ORDINANCE OR
RESOLUTION, AND THE LOCAL JURISDICTION MAY, BY ORDINANCE OR
RESOLUTION, REQUIRE A BUSINESS OPERATING AS A PLACE FOR ON-SITE
MARIJUANA CONSUMPTION TO BE LICENSED PURSUANT TO THIS SECTION.

(d) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF
ALL MARIJUANA HOSPITALITY BUSINESSES IN THE STATE AND SHALL MAKE
THE LIST AVAILABLE ON ITS WEBSITE.

(2) A MARIJUANA HOSPITALITY BUSINESS SHALL NOT:
(a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR
REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA
PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED
PREMISES;

(b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
ANY MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(d) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
PREMISES;

(e) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
THE LICENSED PREMISES OF THE BUSINESS;

(f) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

(g) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
BUSINESS, INCLUDING BUT NOT LIMITED TO SALES, MANUFACTURING, OR
CULTIVATION;

(h) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
CONDUCT AS DESCRIBED IN SECTION 18-9-106;
(i) Permit the use or consumption of marijuana by a patron who displays any visible signs of intoxication;

(j) Permit rowdiness, undue noise, or other disturbances or activity offensive to the average citizen or to the residents of the neighborhood in which the licensed premises is located; or

(k) Admit into the licensed premises of the business any person who is under twenty-one years of age.

(3) A marijuana hospitality business shall:

(a) Operate the business in a decent, orderly, and respectable manner;

(b) Require all employees of the business to successfully complete an annual responsible vendor training program authorized pursuant to section 44-10-1201;

(c) Ensure that the display and consumption of any marijuana is not visible from outside of the licensed premises of the business;

(d) Educate consumers of marijuana by providing informational materials regarding the safe consumption of marijuana. The materials must be based on the requirements established by the marijuana educational oversight committee, established pursuant to section 24-20-112 (4), and on the relevant research from the panel of health care professionals appointed pursuant to section 25-1.5-110. Nothing in this subsection (3)(d) prohibits a local jurisdiction from adopting additional requirements for education on safe consumption.

(e) Maintain a record of all educational materials required by subsection (3)(d) of this section in the licensed premises for inspection by state and local licensing authorities and law enforcement; and

(f) If an emergency requires law enforcement, firefighters, emergency medical service providers, or other public safety personnel to enter a marijuana hospitality business, ensure that all employees and patrons of the business cease all consumption and other activities until such personnel have completed their investigation or services and have left the licensed premises.

(4) A marijuana hospitality business and its employees may remove an individual from the business for any reason, including a patron who displays any visible signs of intoxication.

44-12-610. Retail marijuana hospitality and sales business license - rules - definition. (1) (a) The state licensing authority
MAY ISSUE A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
LICENSE AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES
IN WHICH MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS
ARTICLE 10, RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, AND
THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL
JURISDICTION IN WHICH THE LICENSEE OPERATES.

(b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE
ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE
LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION
25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED
PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A
LICENSE TO OPERATE A RETAIL MARIJUANA HOSPITALITY AND SALES
BUSINESS IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD
BUSINESS. A RETAIL FOOD BUSINESS OPERATING A RETAIL MARIJUANA
HOSPITALITY AND SALES BUSINESS PURSUANT TO THIS SUBSECTION (1)(b)
IS SUBJECT TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND
THE RULES PROMULGATED PURSUANT TO THAT ARTICLE, INCLUDING BUT
NOT LIMITED TO LICENSURE REQUIREMENTS AND INSPECTION AND
ENFORCEMENT AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC
HEALTH AND ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT
AUTHORIZE THE RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS TO
ENGAGE IN THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED
PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO
FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD BUSINESS.

(c) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF
ALL RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES IN THE STATE
AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

(2) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
LICENSEE SHALL NOT:

(a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME
PATRON DURING THE SAME BUSINESS DAY WHEN THE BUSINESS'S
EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE
SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE
THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING
AUTHORITY;

(b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
ANY MARIJUANA IN THE LICENSED PREMISES;

(c) DISTIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(d) SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA
PRODUCTS THAT CONTAIN NICOTINE OR, IF THE SALE OF ALCOHOL WOULD
REQUIRE A LICENSE OR PERMIT PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS
TITLE 44, ALCOHOL;
  (e) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
PREMISES;
  (f) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
THE LICENSED PREMISES OF THE BUSINESS;
  (g) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;
  (h) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
BUSINESS, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR
CULTIVATION ACTIVITY;
  (i) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
CONDUCT AS DESCRIBED IN SECTION 18-9-106;
  (j) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL
MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO
SHOWS SIGNS OF VISIBLE INTOXICATION;
  (k) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
  (l) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA
HOSPITALITY AND SALES BUSINESS ANY PERSON WHO IS UNDER
TWENTY-ONE YEARS OF AGE.
  (3) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
LICENSEE SHALL:
    (a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA
PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL
MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR
RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS
PATRONS;
    (b) LIMIT A PATRON TO ONE TRANSACTION OF NO MORE THAN THE
SALES LIMIT SET BY THE STATE LICENSING AUTHORITY BY RULE PURSUANT
TO SECTION 44-10-203 (2)(cc)(II);
    (c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED
PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS,
PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA
PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE
BUSINESS THAT COMPLY WITH THE REQUIREMENTS OF SECTION 44-10-203
(2)(f) AND (3)(b);
    (d) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND
RESPECTABLE MANNER;

(e) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM AUTHORIZED PURSUANT TO SECTION 44-10-1201;

(f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM OUTSIDE OF THE BUSINESS;

(g) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE, ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS SUBSECTION (3)(g) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

(h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS REQUIRED BY SUBSECTION (3)(g) OF THIS SECTION IN THE LICENSED PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES AND LAW ENFORCEMENT; AND

(i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE BUSINESS CEASE ALL SALES, CONSUMPTION AND OTHER ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

(4) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS AND ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION.

(5) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS MAY PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS FROM ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

SECTION 21. In Colorado Revised Statutes, 44-10-701, amend as relocated by Senate Bill 19-224 (1)(a), (3)(d), and (3)(f) as follows:

44-10-701. Unlawful acts - exceptions. (1) Except as otherwise provided in this article 10, it is unlawful for a person:

(a) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A
RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610:

(I) To consume regulated marijuana or regulated marijuana products in a licensed medical marijuana business or retail marijuana business; and it shall be unlawful OR

(II) For a medical marijuana business or retail marijuana business to allow regulated marijuana or regulated marijuana products to be consumed upon its licensed premises;

(3) It is unlawful for a person licensed pursuant to this article 10:

(d) To provide public premises, or any portion thereof, for the purpose of consumption of regulated marijuana in any form, EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610;

(f) To have on the licensed premises any regulated marijuana or marijuana paraphernalia that shows evidence of the regulated marijuana having been consumed or partially consumed, EXCEPT:

(I) If it is for purposes of recycling; OR

(II) IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610;

SECTION 22. In Colorado Revised Statutes, 44-10-1201, amend as relocated by Senate Bill 19-224 (2)(b)(IV) and (2)(b)(V); and add as relocated by Senate Bill 19-224 (2)(b)(VI) as follows:

44-10-1201. Responsible vendor program - standards - designation. (2) An approved training program must contain, at a minimum, the following standards and be taught in a classroom setting in a minimum of a two-hour period:

(b) A core curriculum of pertinent statutory and regulatory provisions, which curriculum includes but need not be limited to:

(IV) Acceptable forms of identification, including patient registry cards and associated documents and procedures; and

(V) Local and state licensing and enforcement, which may include but need not be limited to key statutes and rules affecting patients, owners, managers, and employees; AND

(VI) INFORMATION ON SERVING SIZE, THC AND CANNABINOID POTENCY, AND IMPAIRMENT.

SECTION 23. In Colorado Revised Statutes, 18-18-406, amend as enacted in section 9 of this act (5)(b)(IV) and (5)(b)(V) as follows:
18-18-406. Offenses related to marijuana and marijuana concentrate - definitions. (5) (b) (IV) Public display, consumption, or use of marijuana or marijuana concentrate pursuant to the provisions of section 44-12-408, when such display, consumption, or use is within the licensed premises of a marijuana hospitality establishment BUSINESS licensed pursuant to section 44-12-408, SECTION 44-10-609, is not a violation of this subsection (5).

(V) Public display, consumption, or use of retail marijuana or retail marijuana concentrate pursuant to the provisions of section 44-12-409, when such display, consumption, or use is within the licensed premises of a retail marijuana hospitality and sales establishment BUSINESS licensed pursuant to section 44-12-409, SECTION 44-10-610 and when an individual's display, consumption, or use does not exceed the sales limit established by the state licensing authority by rule pursuant to section 44-12-202 (3)(a)(XXV)(B), SECTION 44-10-203 (2)(cc)(II), is not a violation of this subsection (5).

SECTION 24. In Colorado Revised Statutes, 25-14-205, amend as amended in section 10 of this act (1)(l) as follows:

25-14-205. Exceptions to smoking restrictions. (1) This part does not apply to:

(1) If authorized by local ordinance, license, or regulation, the licensed premises of a marijuana hospitality establishment BUSINESS licensed pursuant to section 44-12-408, SECTION 44-10-609 or a retail marijuana hospitality and sales establishment BUSINESS licensed pursuant to section 44-12-409, SECTION 44-10-610; except that this exception only applies to the smoking of marijuana and does not allow the smoking of tobacco within such premises."

Renumber succeeding sections accordingly.

Page 23, line 26, strike "This" and substitute "(1) Except as otherwise provided in subsection (2) of this section, this".

Page 24, after line 8, insert:

"(2) Sections 12 through 24 of this act take effect January 1, 2020, only if Senate Bill 19-224 becomes law; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by
the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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